

1  
2  
3 5-YEAR OCS OIL AND GAS  
4 PROPOSED LEASING PROGRAM  
5 FOR 2007-2012  
6 Nuiqsut, Alaska

7 NUIQSUT PUBLIC HEARING/MEETING  
8 for the Draft Environmental Impact Statement  
9 and Proposed Program  
10

11 Taken November 8, 2006  
12 Commencing at 7:00 p.m.

13 Volume I - Pages 1 - 57, inclusive  
14  
15

16 Taken at  
17 Nuiqsut Trapper School  
18 Nuiqsut, Alaska  
19  
20  
21  
22

23 Reported By:  
24 Valerie Martinez  
25

1 A-P-P-E-A-R-A-N-C-E-S

2 For Minerals Management Service:

3 Cleveland Cowles

Acting Regional Supervisor

4 for Leasing and Environment

5 Albert Barros

Community Liaison

6

Cameron Reitmeier

7 Petroleum Engineer

Resource & Economic Analysis Section

8

9

10 Interpreter:

11 Eli Nukapigak

12

13

14 Taken by:

15 Valerie Martinez

16

17

18

19 BE IT KNOWN that the aforementioned proceedings were

20 taken at the time and place duly noted on the title

21 page, before Valerie Martinez, Notary Public within and

22 for the State of Alaska.

23

24

25

1 P-R-O-C-E-E-D-I-N-G-S

2 MR. COWLES: Well, I'd like to continue with  
3 our introductions and a little bit on the purpose.  
4 And then, I thought how we could have our meeting  
5 tonight -- if anybody needs more transition, let me  
6 know. I don't want to go too fast.

7 All right. My name, again, is Cleve Cowles.  
8 I'm with the Minerals Management Service office in  
9 Anchorage. I'm the -- temporarily acting regional  
10 supervisor for the leasing office, which is one of  
11 three parts of our office in Anchorage. And we're  
12 with the Department of the Interior.

13 And with me tonight are some people from our  
14 office who will be here to help answer any  
15 questions or to help you in any way that you may  
16 need, to understand what this meeting is about.  
17 Over here is Cameron Reitmeier, he's with our  
18 office of resource evaluation, which is the group  
19 that estimates oil and gas in the Outer Continental  
20 Shelf.

21 This is Valerie Martinez, who is helping keep  
22 the notes and provide a transcript of your comments  
23 later on. In the back of the room is Al Barros,  
24 who's our community liaison specialist and has  
25 helped in setting up the meeting. And I appreciate

1           everybody coming.

2                       Normally in a hearing, if you will, it will  
3           just be structured comments but if you'd consider  
4           doing it a little bit differently and what we'd  
5           propose is having a more interactive dialogue on  
6           the first part.

7                       This handout, if you're interested, I can go  
8           through it a little bit and try to explain some of  
9           the information in it. And while I'm doing that,  
10          if you have any questions, we would be more than  
11          glad to try to answer them. But if I don't have  
12          the answer, one of my associates from the office  
13          could help. And if that's okay, we can do it that  
14          way or if you'd have any other course you'd like to  
15          start off, we can do it that way.

16                      (Interpreter speaking.)

17                      MR. COWLES: Thank you. As we go along, we  
18          have a sign-in sheet that we'd appreciate anybody  
19          who is here to sign in. And if you are going to  
20          ask a question or going to have a comment on this  
21          meeting, if you'd mention your name and spell your  
22          last name for Valerie so that we can make sure we  
23          have our transcript correct. And if you do that  
24          every time you speak, if you want to speak more  
25          than one time, that would also be appreciated to

1 help us, again.

2 And going through this, I only plan on taking  
3 a few minutes. I don't want to take a lot of your  
4 time tonight on this kind of thing, but this will  
5 help you understand the purpose for this evening  
6 which is to talk about a proposed schedule for  
7 offshore oil and gas lease sales in the next five  
8 years, the Department of the Interior's plan that  
9 starts in 2007 and it runs through 2012.

10 On the first page, there's a map. You can  
11 see the blue shaded areas, and these are the areas  
12 that the Department of the Interior is considering  
13 studying in a later, more refined analysis  
14 depending on the schedule. And there's also  
15 another map in the back in the Federal Register  
16 Notice part, which shows it a little bit better.  
17 The two maps -- and these, again, are the four  
18 areas that are going to be considered for the next  
19 five-year program.

20 (Interpreter speaking.)

21 MR. COWLES: So if you turn to the third panel,  
22 the one with these charts, this is an important  
23 part of the content that I want to talk about  
24 tonight because this basically shows you not only  
25 the process but I can give you some sense of the

1 timing for all of these different steps.

2 We have a very involved process as you can  
3 tell. There's many steps, but that's all for the  
4 purpose of getting a lot of involvement from the  
5 public and, of course, all the other agencies that  
6 are involved with this. So it's rich in process  
7 and rich in involvement and we get information from  
8 the local communities, which we appreciate very  
9 much and use in our evaluations.

10 So what we're dealing with tonight is the  
11 very first row, and we are at the third block where  
12 the proposed program and the Draft EIS are now out  
13 for comment and review.

14 (Interpreter speaking.)

15 MR. COWLES: So the Secretary of Interior,  
16 after looking at a draft program, made a decision  
17 on a proposed program, which is this middle block,  
18 and we will be asking for comments and then there  
19 will be a final program next. And the timing for  
20 that final program is probably going to be sometime  
21 after the first of the year after the comment  
22 period is closed -- which I'll tell you about a  
23 little bit later -- and then the new program is  
24 expected around the first of July.

25 Now, this whole series of steps basically

1 takes about two years, so we're pretty well far  
2 along in it. There's been previous opportunities  
3 and we've gotten previous information from the  
4 communities and this is moving -- getting closer to  
5 the final program. So what we're talking about  
6 tonight in this meeting is about the schedule for  
7 these sales. Basically, where they would be and  
8 the general area that would be considered and the  
9 timing. But it's an important step as the previous  
10 step was in terms of getting some comment on the  
11 draft program.

12 But after this final program occurs, then  
13 there's much more. And the second row is very  
14 important and many of you are familiar with this,  
15 that once a schedule is adopted, then there would  
16 be environmental reviews and Environmental Impact  
17 Statements prepared on a more refined, a more  
18 focused analysis for a particular lease sale and  
19 that's what this second row is about.

20 (Interpreter speaking.)

21 MR. COWLES: Am I'm going too fast for you?  
22 Should I break it in smaller pieces or are you  
23 okay?

24 THE INTERPRETER: Uh-huh.

25 MR. COWLES: Okay.

1           In this more refined sale, the Environmental  
2           Impact Statement and review process, the lease sale  
3           analysis itself, the important thing to keep in  
4           mind is that just because we start this process and  
5           do the environmental review doesn't mean that there  
6           necessarily will be a lease sale. Sometimes there  
7           are changes, so this whole process provides  
8           opportunities for the government to think about  
9           things and to consider things like the amount of  
10          industry interest and whether or not to continue  
11          on.

12          So if you take -- the first row takes about  
13          two years and then on any particular sale, say, in  
14          the next Beaufort Sea sale, that process could  
15          take, again, almost two years -- two to two and a  
16          half years. And that's the government's process  
17          and we do have an influence on how that proceeds  
18          and make sure that proceeds on a schedule. And  
19          that's, again, part of what we're talking about  
20          tonight. And this is where we are the main  
21          influence.

22          At a lease sale, though, the companies will  
23          bid on tracts and normally the highest bidder will  
24          be given a lease for that tract to then explore  
25          later on. And then when they've decided to bid on



1           a lease, we then get down to the next row of  
2           process steps.

3           (Interpreter speaking.)

4           MR. COWLES: So, as I was saying, on the first  
5           two rows, those are processes that our office and  
6           the Department of the Interior maintains the pace.  
7           But once a company bids on a lease or a tract, as  
8           we call them -- which are three mile by three mile  
9           lots of the Outer Continental Shelf -- once they  
10          have been awarded a lease, then the schedule comes  
11          up to the company. They have a certain lease term  
12          but how fast they move on it depends on their  
13          results of exploration and their basic way of  
14          assessing their cost and benefits.

15          So it's no longer the Department of the  
16          Interior's schedule at that point. But eventually  
17          companies may submit an exploration plan for a  
18          particular tract depending on their interest. And  
19          that's what this third row is and that process,  
20          again, offers more opportunity for various reviews  
21          and it can take about six months to a year for the  
22          review of an exploration plan before the company  
23          satisfies the review and is given a permit to go  
24          forward.

25          So there's another series of review stages

1       that looks at the specific plan that the company  
2       might have for a particular tract. So the third  
3       line is another block of time. It's one that we  
4       don't have complete control or influence on and we  
5       wait for the company to take a step there.

6               (Interpreter speaking.)

7       MR. COWLES: So even if a company is awarded  
8       many leases, they don't necessarily explore all of  
9       them. And then they don't always find something.  
10      But if they do, then this next row is considered  
11      for a development plan. If they found oil and gas,  
12      then they are required to submit a plan for  
13      development and often times that will require, as  
14      part of the environmental analysis, another EIS.

15             So it's a long process and there's lots of  
16      opportunity for review and lots of time for us to  
17      get valuable comments that we amend it from and it  
18      could take eight, ten, twelve years between the  
19      start of this whole thing and when you might  
20      actually see development occurring.

21             So that's an overview, and I talked a lot.  
22      There's a few more slides we could go over briefly,  
23      but if anybody has any questions about what I've  
24      talked about, let me know.

25             (Interpreter speaking.)

1 MR. COWLES: Sir?

2 MR. AHKIVIANA: Did you mention how far from  
3 where to where you were going to do the lease sale?

4 MR. COWLES: I didn't understand the question.

5 MR. AHKIVIANA: I mean, how far are you  
6 planning? From Point Hope all the way to the blue  
7 border?

8 MR. COWLES: Yeah, if we look at this map, we  
9 get a better feel for --

10 MR. REITMEIER: Cleve, can you have him state  
11 his name?

12 MR. COWLES: Pardon me? Oh, yeah, we need your  
13 name, sir, for our reporter.

14 MR. AHKIVIANA: Oh, I'm Archie Ahkiviana. I'm  
15 with the Whaling Captains Association of Nuiqsut.  
16 I was in a meeting with you guys last week.

17 MR. COWLES: Thank you.

18 This is the area that we are planning some  
19 sales in, but each lease sale will have its own  
20 specific boundaries --

21 MR. AHKIVIANA: I mean --

22 MR. COWLES: -- but in the Beaufort Sea, it's  
23 likely to be as you described.

24 MR. AHKIVIANA: Yeah, do you explore what's in  
25 that area before you do lease sales? What

1           endangered species, animals are there in that area  
2           or are you just going to sell it?

3           MR. COWLES: Well, the industry will sometimes  
4           do some geophysical surveys, seismic surveys, that  
5           I know you're aware of. And MMS has an  
6           environmental studies program, which has been going  
7           on for many years, so there's information that we  
8           get.

9           We get a lot of help from the Alaska Eskimo  
10          Whaling Commission and other subsistence  
11          organizations. We use information from the  
12          communities to help us write these things, so we  
13          have a lot of sources of information. We're always  
14          looking for more.

15          Does that answer your question?

16          MR. AHKIVIANA: And then when you sell it, does  
17          the people you get the information from -- these  
18          peoples, do you -- when you make money, do you give  
19          any to the area that you get all that information  
20          from?

21          MR. COWLES: Well, there are pathways that some  
22          of that money can flow, but it goes through  
23          different routes rather than from us to the  
24          communities. There's -- for example, there are  
25          funds that are set up that take some of the

1 revenues from Outer Continental Shelf royalties and  
2 bids and then they are dispersed back through the  
3 states through different formulas.

4 And as a result of the Energy Policy Act of  
5 2005, I think it was called, there's a Coastal  
6 Impact Assistance Program which is just starting.  
7 And there's a small amount of money that will be  
8 made available for Boroughs and local governments  
9 at the Borough level in Alaska to apply for it.  
10 And that program is just getting started and  
11 there's calculations based on population and other  
12 factors that determines the funds that will be  
13 available. So, it's not a direct --

14 MR. AHKIVIANA: I know.

15 MR. COWLES: And we understand -- we realize  
16 that that's something that these people would like  
17 to change and there have been efforts to change.

18 Al, do you have something?

19 MR. BARROS: Yeah, Albert Barros. The money  
20 that we get from the lease sales and the bonus bids  
21 all go into the federal treasury. Our agency will  
22 see very little of that money. As Cleve was  
23 saying, it does go into the Land and Water  
24 Conservation funds, but it does go back to the  
25 states, and, unfortunately, right now the Coastal

1       Impact Assistance Program is based on production  
2       and right now most of the production is going on in  
3       the Gulf of Mexico. We are getting some federal  
4       oil from Northstar and so the money that would --  
5       realistically, the money that would come to Alaska  
6       would be very limited.

7               MS. NUKAPIGAK: Excuse me -- my name is Dora  
8       Nukapigak. I see that you have a buffer zone 25  
9       miles down the shores of the Chukchi Sea and I  
10      don't see one for our whaling camp, which is Cross  
11      Island. Why is that?

12             MR. COWLES: Well, in the Federal Register  
13      Notice, there is some explanation. And that's a  
14      difference compared to the draft proposed program.  
15      And part of that information has to do with the  
16      interest the industry has in that shore zone in the  
17      Chukchi as compared to the Beaufort.

18             So there's a little bit of information there  
19      and I don't know all the other reasons, but the  
20      Department considered comments and past patterns of  
21      interest and made that decision.

22             MS. NUKAPIGAK: So would there be -- if the  
23      community feels strongly that there should be a  
24      buffer zone, would that be considered by MMS?

25             MR. COWLES: On a particular lease sale if this

1       proposed schedule -- it would -- we've considered  
2       that. And it would be, again, like in the past.  
3       We will come out for the next Beaufort lease sale  
4       with a scoping opportunity where we come out and  
5       ask people what they think the issues are and those  
6       kind of ideas can be considered.

7               But I think -- you know, if you think of  
8       industry's interests, it would probably be a  
9       different kind of decision than perhaps a more  
10      involved decision in the Beaufort. But, again, the  
11      Secretary -- I don't speak for these decisions.  
12      I'm not the decision maker here.

13             MR. BARROS: Dora; right?

14             MS. NUKAPIGAK: Yeah.

15             MR. BARROS: One of the things that comes into  
16      play is that MMS -- the Outer Continental Shelf is  
17      three miles offshore. Three miles in is State  
18      waters and what the State does affects what happens  
19      in the federal waters because quite often the  
20      reservoirs don't know about the three-mile limits.

21             And so if the State has a sale that we try to  
22      have a sale adjacent to that to make sure that if  
23      they do have a sale and there's discovery there,  
24      they don't drain the federal reservoir, in which  
25      case the federal government wouldn't get anything.

1           And so around Cross Island we use our  
2           stipulations on the lease sales that do address the  
3           concerns -- many of the concerns worked out with  
4           the AEWC about Cross Island, but we're here to  
5           accept comments and that's why we came out here and  
6           that's why we have a court reporter to make sure  
7           that we do get accurately what your issues and your  
8           questions are.

9           And we also -- as, Cleve said, that right now  
10          we're looking very generally but when there's a  
11          specific lease sale, then we'll ask more specific  
12          questions. And we always encourage the public and  
13          tribes to comment during each phase to make sure  
14          that their comments are heard again and again.

15          I know we've been coming out here for 25  
16          years -- more than 25 years. I've been here for  
17          seven and I've come to Nuiqsut quite a few times  
18          and I know that we hear the same things --  
19          repeat -- stress, I should say, because it is very  
20          important.

21          MR. COWLES: And those ideas have been  
22          considered and they have been weighed and thought  
23          about a lot, so I know your voices are being heard.

24          (Interpreter speaking.)

25          MR. AHKIVIANA: My name is Archie Ahkiviana,



1           again. We put a -- they asked us to put a buffer  
2           zone in that Cross Island area. We did all the way  
3           from Seal Island or Midway Island all the way to  
4           Flaxman Island, and then when they started selling  
5           the lease sale, they just took them out.

6                     They told us to write it down. We did. And  
7           then we gave it to AEWC but I thought we were  
8           protected in that area, but they just took it off  
9           and sell it. Now we don't have any buffer zone in  
10          that area. Except the only thing we got is waters  
11          agreement with the oil companies.

12                    MS. KIEGELAK: What about if we want no lease  
13          sales from Cross Island all the way Midway Island  
14          to Flaxman Island? Can that be excluded?

15                    MR. COWLES: Would you tell the --

16                    MS. KIEGELAK: Bernice Kiegelak.

17                    MR. COWLES: Could you repeat the question  
18          again?

19                    MS. KIEGELAK: Can Cross Island all the way to  
20          Flaxman Island be excluded for lease sales?

21                    MR. COWLES: I don't know, really.

22                    MS. KIEGELAK: What if we want it like that?

23                    MR. COWLES: I think it would certainly be --  
24          again, this is why we're here tonight, for you to  
25          make those statements and make those suggestions.

1           And I know that people in the communities have done  
2           that before, and MMS will continue to consider that  
3           and keep that information for primary  
4           considerations. There have been some areas that  
5           were removed from lease sales, so it's -- I would  
6           say it's a comment worth continuing to make.

7                     In the meantime, we're very appreciative of  
8           the AEWC and particularly the Nuiqsut whalers for  
9           helping us keep information on the whaling at Cross  
10          Island in terms of the amount of whaling activity  
11          and the number of crews and boats and trips and  
12          things like that because that helps us understand  
13          if there are any changes over time.

14                    So I know this doesn't answer all your  
15          questions but, again --

16                   MS. KIEGELAK: Back to my question. The buffer  
17          zone is no guarantee of protection so I request  
18          Beaufort Sea to be excluded.

19                   MR. COWLES: I understand. We have your  
20          comment.

21                    Yes, sir?

22                   MR. NUKAPIGAK: Isaac Nukapigak.

23                   MR. COWLES: Could you spell your last name for  
24          our --

25                   MR. NUKAPIGAK: John Doe. I'm the vice

1        president of the Nuiqsut Whaling Captains  
2        Association and alternate commissioner of the AEWC.

3                Time and time again we have commented in  
4        various Conoco/Shell meetings but our comments have  
5        been ignored by the federal government. We have  
6        asked for a deferral area at various times on Cross  
7        Island, but it seems to me that MMS don't care  
8        about us. It comes in and comes out of the other  
9        ear. They still make the recommendation of what  
10       lease sales -- the current lease sales to take  
11       place.

12               I think it's about time that the federal  
13        government listen to this community. We've seen  
14        impacts of these various lease sales that have  
15        occurred in the Beaufort Sea that have interfered  
16        with our whaling. Even though you set up  
17        stipulations of compliance for the industrials to  
18        comply with, they don't listen. They'll find ways  
19        to try to find a loophole and we're the ones that  
20        are getting hassled.

21               I think that what -- I like the  
22        recommendation that one of the ladies had made, was  
23        to make, now, during the planning stage -- we're  
24        still in the planning area right now on your  
25        proposal -- five-year lease plan, is during that

1 process. I think that MMS should consider strongly  
2 and listen -- and listen to the community that  
3 makes their recommendation to the Department of the  
4 Interior OCS to defer our whaling grounds from any  
5 future lease sales.

6 And the way your -- the way the system works  
7 because of production that's going on in the Gulf  
8 of Mexico, any lease sale that occurs in the  
9 Continental Shelf, we don't get the paid back  
10 funds. We know that. Not from one oil company  
11 that comes to the State of Alaska. You need to  
12 correct your statement.

13 Now, you're -- after hearing so much  
14 complaint from the Inupiat, from the indigenous  
15 people, now you guys are finally waking up and  
16 starting to make those plans. Saying, yeah, we  
17 heard you guys been making noise. Now, you guys  
18 are starting to establish the program.

19 If that works, I want to see the villages on  
20 the Slope being compensated for all these previous  
21 lease sales that had occurred. We're the ones  
22 that's been impacted. We're the ones that our  
23 subsistence livelihood and whaling -- subsistence  
24 lifestyle that's been going on for thousands of  
25 years, being jeopardized because of the lease

1           program that you guys established. I hope you  
2           consider that strongly during this planning  
3           process.

4           MR. COWLES: Well, that's why we're here and we  
5           will do our best.

6           MR. NUKAPIGAK: And the question I have under  
7           this plan, what's your total acreage that you're  
8           looking at under your five-year plan for the  
9           Beaufort Sea lease sale? What's the total?

10          MR. COWLES: I think there --

11          MR. AHKIVIANA: All the way from Point Hope to  
12          --

13          MR. NUKAPIGAK: No, I'm talking about from the  
14          Canadian waters to the Point -- to Barrow. What's  
15          the total acreage you're looking at? I know you've  
16          got --

17          MR. COWLES: I don't have that information on  
18          the -- right with me. There is some information on  
19          the different planning areas in the press release  
20          that's also in here, and I can certainly try to  
21          find that on an area-by-area basis. I might have  
22          it in some of my notes here and I'll talk to you at  
23          the end of the meeting, but I don't -- like  
24          everybody, it's hard to keep track of the different  
25          numbers for the different areas.

1           One of the things I talked about -- again,  
2           I'm just mentioning -- on this last -- this one  
3           right here (indicating). Again, we may have  
4           something in the sales schedule but that doesn't  
5           necessarily mean it will occur. And so there are  
6           some uncertainties in time.

7           But we do know, at this time, that the  
8           proposed program -- and I'm on this one  
9           now (indicates) -- includes two Beaufort Sea  
10          possible sales, one in 2009 and one in 2011. So,  
11          they're spaced apart to give time for comment and  
12          suggestions such as you may have.

13          And then there's three in the Chukchi Sea.  
14          That's it for the Arctic. And as time moves on,  
15          we'll learn more about the different size of the  
16          different sale areas.

17          (Interpreter speaking.)

18          MR. COWLES: So, once again, as many times  
19          before, your comments are very important tonight.  
20          And as shown on this panel here, the one I was just  
21          talking about that mentions the program as it's  
22          currently shaping up, there are some points in time  
23          that we hope you keep in mind for further comments  
24          or follow-up, if you will, to your comments  
25          tonight. It's not necessary if you made comment

1           tonight, but there are two things really to comment  
2           on:

3                     One is the proposed program and there's also  
4           a Draft Environmental Impact Statement related to  
5           that. And so those are some dates there to keep in  
6           mind if you are going to give further comment, say,  
7           in writing about the schedule. And so, once again,  
8           it will be important to make your views evident.

9           MR. NUKAPIGAK: Sir?

10          MR. COWLES: Yes, sir.

11                    MR. NUKAPIGAK: I'd like to maybe make a  
12          recommendation to MMS on the Draft Environmental  
13          Impact Statement. Because of the mailing system is  
14          being sold -- when you are living in a rural  
15          village, mail -- a first-class mail will take  
16          nearly two weeks to reach. We finally received the  
17          Draft Environmental Impact Statement and here  
18          you're giving us until the 22nd. How do you expect  
19          to dialogue to the Draft Environmental Impact  
20          Statement and get an adequate comment on it?

21                    Is there a way that that can be extended to  
22          give an adequate comment on the Draft Environmental  
23          Impact Statement? Because how -- I finally got  
24          this yesterday and that's a real -- really thick  
25          materials to digest and be able to, you know,

1 submit an adequate comment.

2 MR. COWLES: I understand. It is a lot of  
3 material.

4 MR. NUKAPIGAK: And there's no way that you can  
5 digest everything.

6 MR. COWLES: We try to get the materials to you  
7 as soon as possible and we have tried different  
8 ways to assist in commenting. So in the Federal  
9 Register Notice that are attached in here, there's  
10 some more information about comments. For example,  
11 using a web site and there's an e-mail --

12 MR. NUKAPIGAK: I've seen that but --

13 MR. COWLES: -- site listed there. That might  
14 help.

15 MR. NUKAPIGAK: Yeah, but --

16 MR. COWLES: And I understand it still --

17 MS. KIEGELAK: The time line you're giving us  
18 to read that EIS is not enough time. We say we  
19 want an extension.

20 MR. NUKAPIGAK: How do expect -- like I said,  
21 how would you expect us to give an adequate comment  
22 on the draft?

23 MS. KIEGELAK: We're being short-sided all the  
24 time.

25 MR. COWLES: I'll pass that along. I'll pass



1           that along. I can't tell you whether there could  
2           be one, though. That wouldn't be --

3           MR. NUKAPIGAK: Especially when you don't have  
4           the type of resources like every other organization  
5           that the urban has. When you have limited  
6           resources in the rural, how do you expect to try to  
7           put a comment that can be very adequate to address  
8           the -- associate the adverse effect on the impact  
9           of what is being proposed on this five-year lease  
10          plan? How do you expect us to try to give an  
11          adequate statement with a very short time period?

12          MR. COWLES: Well, we hope that you would give  
13          it your best shot and we would appreciate that very  
14          much. And we know that there are a lot of other  
15          things to do, but, again, we -- whatever you can do  
16          in the time that's available would be very valuable  
17          to us.

18          MS. AHTUANGARUAK: This is very large area.  
19          Our community depends on a very large part of our  
20          natural resources for our traditional diet. It's  
21          very important for the health of our bodies and our  
22          community to continue to consume these substances  
23          that are very valuable in the health of how we  
24          live. The types of foods we eat are very necessary  
25          for the land environment that we live in. Working

1       in this environment requires us to have a high  
2       protein diet to allow us to work out in the cold  
3       like we do since we're living up here in this area.

4               These resources are very healthy. They're  
5       very nutritious. Trying to replace this type of  
6       food from the store is beyond cost effectiveness.  
7       It's very expensive if we were to consume that out  
8       of the store. It's beyond most of our means to do  
9       so.

10              The types of foods that we eat are very  
11       important for our Elders. It's very hard for them  
12       to try to eat other foods that are not natural. As  
13       the Elders are getting older, especially if they  
14       are sick, the fish is very important for them.  
15       Without the fish, it's very difficult to eat  
16       anything.

17              We get many requests from family members that  
18       have gone to Anchorage to the hospital to have help  
19       with food because their Western diet is not as  
20       palatable for their consumption.

21              It is really a strong, healthy lifestyle that  
22       unites our community in our day-to-day lives.  
23       Working together to feed the community during the  
24       whaling season unites many community members that  
25       would not be working together in other ways.

1           Without these types of activities, it changes  
2           how we live our lives. If we have plans for a  
3           Christmas feast with whale, it's very difficult to  
4           plan a Christmas feast. These kinds of things  
5           change. How we interact on a day-to-day basis.  
6           The strength of our members of our community  
7           changes.

8           When we have our able-bodied individuals not  
9           participating in whaling off working at various  
10          sites away from the community, it affects how  
11          things occur within the family structures. There's  
12          a lot of changes that go on not just with the type  
13          of activities that are occurring. These types of  
14          things are not well assessed.

15          The effects from an oil spill, the way your  
16          studies and information is put in the EIS is based  
17          on looking at the projects not having long-term  
18          health effects. I think there's enough information  
19          now after the Exxon Valdez to show there are some  
20          serious long-term health effects that have  
21          occurred. People that go and work in a clean-up  
22          have some health effects. That's the kind of work  
23          that we're offered in our village for employment  
24          out there.

25          We were promised with near development 50

1 jobs that would occur year-round. We didn't get  
2 those 50 jobs, but we gave up prime hunting  
3 territory and now our hunters have to travel much  
4 farther. Those costs are based upon our family  
5 lives. Those are hardships that are based upon our  
6 community lives and it changes how we are able to  
7 function as a community. These are important  
8 issues that are not assessed.

9 We need to take a more serious look at what's  
10 being planned. We need to look at what is being  
11 proposed. This is a great big large area and  
12 damages to this garden of food that we depend on  
13 could devastate how generations to come live. And  
14 this is not something that should be taken lightly.

15 Our families are very strong with the  
16 knowledge our Elders passed down to us on how to  
17 live with the resources that we have; how to share;  
18 to make sure the families that weren't able to  
19 harvest have food to eat, the traditional foods;  
20 how to work together to make sure, as a community,  
21 we go into the future. These are important things  
22 but if you cause severe change, immediate change  
23 like with an oil spill, how are we supposed to live  
24 and survive? What resources are we going to have  
25 to turn to?

1           If you go to our clinic and try to get  
2           Foodbank assistance, there's not much food in that  
3           Foodbank assistance available for people that need  
4           it. When we can richly feed our families from the  
5           natural resources that come and go with the  
6           seasons, it's a lot to give up. It's very  
7           important to look at that big picture on how our  
8           families are being affected, how our communities  
9           are being affected, and how our region will be  
10          effected if there is a devastation with an oil  
11          spill.

12          That is very likely. Even in the notes of  
13          EIS's that we've seen, one in ten whales could  
14          leave. A leak could cause some real serious  
15          problems. The measurements, you have how many  
16          thousand gallons that are spilled before they are  
17          even able to identify there is a leak occurring.  
18          Look at how much spilled on shore with the promises  
19          that we're giving that there were techniques in  
20          place to prevent something that were done. Instead  
21          there's no enforcement to that.

22          We've seen how hard it is to work with the  
23          government and the entities that come to work to  
24          develop the oil and gas resources around us. They  
25          talk to us about 14 acres. We had over 200 acres

1 developed in less than five years. Not only did we  
2 have that area of development, we had multiple  
3 areas of development. You had Alpine, you had the  
4 Kuparuk River, you had the Foothills development  
5 started, you had near shore development started.  
6 The cumulative effect is not even looked at.

7           There was a big document generated and the  
8 information from that big document on the  
9 cumulative effects is not even incorporated into  
10 this plan, and yet it was -- you brought 24  
11 scientists from the nation to come out here and  
12 assess that, and yet it's not even incorporated  
13 into it.

14           So you're coming at us and asking us to give  
15 up a lot in our area and other areas but our food  
16 migrates through that whole area. If something  
17 happens way over there, our food still has to go  
18 through it to get to us. If something happens near  
19 us, we still have to go to Cross Island to try to  
20 get our food. That's important to look at. It's  
21 not something just to say, we considered it.

22           Well, we saw your consideration. You took  
23 away the deferral that our Elders fought for. Yet  
24 when we go back to try to research how those  
25 documents were generated, there isn't much

1 information to look at. Now we have a court  
2 reporter reporting us now, but there's a lot of  
3 lost ground that can't be replaced.

4 We have very few Elders left, but we have  
5 Elders that have trational sites near the coast  
6 they were barred from using because oil and gas  
7 decided it was more important and now it's a  
8 security issue for whalers and hunters to go access  
9 those areas. That's very damaging to our  
10 community. It's very damaging to our future  
11 generations.

12 When we can't stop one development in spite  
13 of how important it is to us, how can our kids  
14 continue to think that they've got a reason to  
15 continue to participate? We have some real serious  
16 issues and concerns. We'd like to see something  
17 happen.

18 There is no proven technique, but if it  
19 happens with broken ice conditions and the wind  
20 isn't the right way, a spill could go many, many  
21 miles and we'll see it for years and years and  
22 years to come, and it's very important to assess.  
23 If we can prevent that, we need to do so. But our  
24 history has shown it has not been prevented. What  
25 assurances are you going to give us that the

1 failures in the area just over there isn't going to  
2 happen with these future developments? Thank you.

3 MR. COWLES: What's your name?

4 MS. AHTUANGARUAK: Rosemary Ahtuanguaruak.

5 MR. COWLES: Thank you, Rosemary. Thank you  
6 very much.

7 (Interpreter speaking.)

8 MR. COWLES: Yes, sir?

9 MR. AHMAKAK: My name is Mark Ahmakak. I'm a  
10 full-time resident here since the inception of this  
11 village, and I do go out whaling from time to time.  
12 However, my words might be a little harsh because I  
13 heard you made a comment or a remark as to why the  
14 buffer zones were removed from the Beaufort Sea  
15 lease sale site.

16 It seems to me the oil industry wants to make  
17 it easier for themselves on obtaining these leases  
18 with less restrictions. I know for a fact -- I  
19 have been through this process and I call this lip  
20 service. Some of us know how this EIS document  
21 comes about. I know it takes time but the majority  
22 of the community members, they do come and make  
23 comments and make recommendations but that's all it  
24 is. It just gets recorded and put in a book form  
25 for somebody else to read about.



1           And all the recommendations and the  
2 stipulations that are put in there, they are never  
3 followed through either by the federal agencies  
4 that are involved or the oil industry as to  
5 following their procedures and their stipulations  
6 enforced on.

7           But I am wondering why the Chukchi Sea site  
8 has a 25-mile buffer zone even though you indicated  
9 earlier that it was on the interest of oil  
10 companies that the Beaufort Sea site were  
11 considered once. At one time or the other that  
12 they would have a buffer zone also from Cross  
13 Island out to our camps as indicated. But now I am  
14 not going to give up that we still could ask the  
15 federal government through this process that we  
16 would like a buffer zone to reach our whaling  
17 grounds and protect that area from the oil  
18 companies and all the oil and gas that they are  
19 going to be looking for.

20           You may consider that they have an oil and  
21 whale agreement, but it's just an agreement. It  
22 can be changed. You don't rely on that. It can  
23 always be changed. That's one of the questions I  
24 have.

25           MR. COWLES: Thank you. And we would really

1 appreciate ideas as to how to make those work, and  
2 I'm sure the oil and gas industry is interested,  
3 too, such as the meeting that happened a week or so  
4 ago. I understand your thoughts.

5 From what I have seen over the years, there  
6 have been more ways of trying to keep the balance  
7 and the companies informed about the best way to  
8 avoid -- and we can keep working to do that. There  
9 definitely has been, I think, some differences over  
10 the years and that's been because of the -- your  
11 interest or your continued comments are attempts to  
12 improve the documents and the stipulations. And I  
13 think that's the only answer I can give. We just  
14 keep trying to do it better.

15 MS. KIEGELAK: I'm waiting. Hello? I've been  
16 putting my hand up.

17 MR. COWLES: Sorry.

18 MS. KIEGELAK: Bernice Kiegelak. In the best  
19 interest of time and the deadline, I would prefer  
20 that we exclude Cross Island to Flaxman Island out  
21 of it. Just to show you that we approve of that,  
22 how many of you from Nuiqsut approve of excluding  
23 Cross Island to Flaxman Island, that farthest  
24 island? Do you approve of that? (Speaks in  
25 Inupiat.)

1           MR. AHKIVIANA: Yeah, from Cedar Island. It's  
2 one island that we can see from Cross Island.

3           MS. KIEGELAK: We don't have time to read the  
4 EIS right now. We already know we want it  
5 protected, so we want it excluded.

6           I know we did a government to government talk  
7 earlier this afternoon. After considering and  
8 absorbing what I have read or seen today, I think  
9 that's the best thing that we could do for  
10 ourselves is to tell you, we want Cross Island all  
11 the way to Flaxman Island excluded from this lease  
12 sale. No buffer zone, no nothing will protect us  
13 unless it's excluded.

14           All the EIS's and everything can be written  
15 but there's no enforcement of anything that's  
16 broken with the permits. The oil and gas industry  
17 can come in and break and say, we promise to do  
18 this, five flights a day, or do our barging three  
19 times a year. They can put all that in writing but  
20 there's no one to prove that they'll do it at that  
21 time. They always break it and the State and the  
22 government fail to provide anyone to watch out for  
23 us.

24           There's no one here to make sure or enforce  
25 the permits that are issued for your lease sales.

1       There's no one looking out for the best interest of  
2       our village, not from the State or the government.  
3       And the only way I can see this working is if you  
4       exclude Cross Island, Flaxman Island, period. No  
5       questions asked, no nothing. Just take it off.  
6       That's my recommendation.

7               MR. COWLES: I could speak a little bit to  
8       enforcement. I do have --

9               MS. KIEGELAK: No. I want it excluded.

10              MR. COWLES: Okay. Thank you.

11              MS. KIEGELAK: Do you guys hear me? All of  
12       you, whoever is here, take it off.

13              MS. NUKAPIGAK: Dora Nukapigak. Speaking of  
14       enforcement, I work for the Whalers Communication  
15       Center and that falls under the conflict avoidance  
16       agreement. Every year it is changed. We have a  
17       time line and it's getting shorter. This year it  
18       was up to September 25. Last year it was about the  
19       same time, but there's a weather that our whalers  
20       look at.

21              Last year they had 27 days of windy days and  
22       in the three days they were able to go out of those  
23       27 days, they were interrupted. They got -- while  
24       they were fishing whales, they ran into vessels out  
25       there, seismic barges hauling fuel to Badami.

1           Where's the enforcement? It's not going to fall  
2           under the conflict avoidance agreement because not  
3           everybody signs that agreement.

4                   We have tugs coming from Canada going west.  
5           We have tugs coming from the west, east. We have a  
6           lot of traffic from west dock to Badami, to Barter  
7           Island. And then this year, to Cape Simpson and  
8           Lonely and those were industry vessels. And yet  
9           our whales are migrating.

10                   I can tell you that one year that they had  
11           seismic activity there. Our whalers were going 30  
12           miles out until they finally spotted one whale.  
13           They caught it 30 miles out of my map and it took  
14           them over 20-some hours to tow that whale to Cross  
15           Island. And when it finally reached Cross Island,  
16           the meat was lost, it stinks. You know, you have  
17           only certain time until you can butcher up.

18                   And that jeopardized our whalers. They had  
19           to go way out there. The time they stopped seismic  
20           activity, barges, that one year, the whales were  
21           only a mile off Cross Island. And yet MMS says  
22           there's no studies on the effects of the bowheads  
23           with the acoustic equipment, it doesn't affect the  
24           whales that are, you know, being affected by noise  
25           vibrations. I've seen that and it's not something

1           that, you know, I like seeing when our whalers are  
2           way out there. Their communication was bad and  
3           they could have had an accident and I wouldn't be  
4           able to hear them. But there is a lot of activity.

5                     Once it comes to exploration, there's a lot  
6           of activity that the industry wants to hurry up  
7           because of the weather, the ice conditions. And  
8           our whalers are out there trying to get four whales  
9           between September 1st through the 25th. And a lot  
10          of it is weather. Like this year it was ice  
11          conditions so they weren't able to spot any whales  
12          until the 13rd, 14th day into the season. And the  
13          barges, of course, were eager to get out there and  
14          do their hauling.

15                    I'd like to see what enforcement do you have?  
16          Who is going to be out there to enforce that? You  
17          know, not everybody signs the conflict avoidance  
18          agreement that is set with the industries out  
19          there. There's a different person that takes over  
20          every year, you know, and it got changed around. I  
21          would say that we need protection around Cross  
22          Island.

23                    MS. KIEGELAK: Just exclude it.

24                    MS. NUKAPIGAK: The other thing is, we share  
25          our food. I just sent over 3,000 pounds of Arctic

1       cisco to Barrow to Wainwright and that's every  
2       year. We share with family across the North Slope  
3       and that's going to affect not just this community  
4       with our Arctic cisco, it's going to affect the  
5       North Slope. We are sending them to Elders.

6           MR. COWLES: I know it's not easy. It doesn't  
7       always answer all questions, but MMS has a study  
8       that it is considering in the future to try to keep  
9       track of all the different types of vessels that  
10      are possibly out there.

11          MS. NUKAPIGAK: One of your MMS guys finally  
12      went to our whaling center and he didn't even know  
13      it existed for the 20 years it's been there. He  
14      was like, oh, wow, there is such a place? We can  
15      get all this information.

16          They should have had a comm center when they  
17      started, too, just to keep track of the industry  
18      and whalers out there. This guy, this September,  
19      was amazed that there was even a comm center, you  
20      know. Where had he been?

21          MS. KIEGELAK: He was from your own department.

22          MS. NUKAPIGAK: This guy was from MMS.

23          The other thing is the studies that you do,  
24      the fish studies, LGL. You know, we have an Arctic  
25      cisco workshop over here and I asked these guys,

1       why aren't you getting these LGL studies? Well,  
2       they won't fork them out to us, so they're going by  
3       different information from the past trying to put  
4       together a page, and yet there are studies that are  
5       being done in Prudhoe Bay about the effects of the  
6       Arctic cisco but they're doing it for BP, you know,  
7       and that won't get -- two other people from MMS,  
8       they couldn't even get ahold of it.

9               MR. COWLES: Well, we get some new employees  
10       from time to time and people that help us from out  
11       of state. And I appreciate you talking to whoever  
12       that was.

13              MS. NUKAPIGAK: I think you guys --

14              MR. COWLES: The information would be very  
15       important information.

16              MS. NUKAPIGAK: We get guys every year from  
17       your department, you know. But this guy, I know he  
18       has been working for MMS for so many years and he  
19       didn't know there was such a place as Whaling  
20       Communication Center.

21              And we man that 24/7 and it's hard, it's  
22       frustrating. And I mean, between the industry and  
23       the whalers, you know. When I'm getting calls from  
24       the whalers saying, what's this vessel out here?  
25       What's this doing out here? I, in turn, have to



1 look around and ask around and call around  
2 different people, who do you got out there? Oh,  
3 no, he's not under the conflict avoidance agreement  
4 so he doesn't have to abide by that.

5 But they're still hauling fuel for the  
6 industry. You know, they were hauling fuel to  
7 Badami when they encountered that vessel three  
8 times, those three days that they were able to go  
9 out last year, last fall.

10 MR. COWLES: Well, there may be some ways that  
11 we can keep track of it better.

12 MS. NUKAPIGAK: Yeah, they need to do  
13 something. It's got to fall -- everything needs to  
14 fall --

15 MR. COWLES: Maybe we can talk about it.

16 MS. NUKAPIGAK: The industry needs to fall  
17 under that conflict avoidance. Make them sign it.  
18 They're working for the industry.

19 MR. COWLES: Thanks for bringing that up and  
20 thanks for mentioning that.

21 MS. AHTUANGARUAK: There are other meetings  
22 being held in other communities. There are other  
23 entities that are going to be providing comments  
24 and information to these meetings. This community  
25 would really like to have the opportunity to assess

1       some of that information that is going to be  
2       presented at these other meetings, that also cuts  
3       into the ability of our community to put in  
4       effective comments back. It's another reason why  
5       your department should seriously consider a  
6       deferral for allowing an extension to the  
7       commenting period.

8               The North Slope Borough is a very important  
9       entity. They have many departments, many paid  
10      individuals to look at these documents and to  
11      provide comments. That information is being  
12      prepared and will be presented at the meetings  
13      there in Barrow, but we have to wait for that to  
14      happen for us to access that information. So  
15      that's another reason to encourage you to consider  
16      allowing an extension.

17             MR. AHKIVIANA: Does MMS do a contract with --  
18      do you guys put out a contract to those guys, MGM?

19             MR. COWLES: I don't know for sure. It's hard  
20      for me to say. It depends on the purposes, and we  
21      have a lot of procurement procedures to go through.  
22      So, you have to go through all that process to find  
23      out what it is that we would need to do, so -- I  
24      really can't answer that very well.

25             MR. AHKIVIANA: Well, you don't know anything

1           here in Nuiqsut. Don't you understand our  
2           language?

3           MR. COWLES: Well, I've definitely got a long  
4           way to go there.

5           MR. AHKIVIANA: Well, another thing that has  
6           been affected by the oil company is that causeway  
7           by the West Dock, the changing of the current. The  
8           relocating of that island close by is getting  
9           farther away from the West Dock, heading west. And  
10          the current on that area is changing and then  
11          there's hardly any seals. There's hardly any seals  
12          around there because the changing of the current in  
13          that area. Is it caused by the causeway? Are the  
14          seals being chased by the causeway because they're  
15          less territorial or is it being done by the  
16          Northstar pipeline that is in that area? Did they  
17          do all those studies in that area?

18          MR. COWLES: How is the current changing?

19          MR. AHKIVIANA: Because there's hardly any  
20          seals around in that area. There used to be seals  
21          right across.

22          MR. COWLES: Do you think the current is moving  
23          further offshore?

24          MR. AHKIVIANA: No, it's moving out into --  
25          toward the Northstar alongside the West Dock. The

1           causeway, they don't even know if it's shallow or  
2           anything. They don't tell us.

3                   And then another thing, that island is  
4           changing. It used to be close by and too much  
5           current is going on that side. That area is moving  
6           it over.

7           MR. COWLES: Which island?

8           MR. AHKIVIANA: That's that island close by the  
9           West Dock.

10          THE INTERPRETER: Stockton Island.

11          MR. COWLES: Stockton Island?

12          MR. AHKIVIANA: Yeah. There was an allotment  
13          there. Maybe it's under water right now because of  
14          the current.

15          MR. COWLES: I know there was some work done  
16          there by oceanographers some years ago.

17          MR. AHKIVIANA: Now is the time to study about  
18          how the current is affecting the seals and the fish  
19          in that area.

20                   (Interpreter speaking.)

21          MR. NUKAPIGAK: I think you're a little too  
22          late for that. Right now we're in the third  
23          stage -- the third block commenting on the Draft  
24          Environmental Impact Statement. That's what you  
25          published already. That's been worked on already

1           by your agents. How is that an improvement when a  
2           document is there already that has been on review  
3           for -- to comment on?

4                   What I see right now is MMS needs to change  
5           how they operate, setting up better -- stronger  
6           guidelines for the industry to comply with instead  
7           of just giving -- issuing a lease to lessees. And  
8           you guys need to follow up to make sure that  
9           they're in compliance with the permits or the  
10          stipulations that the people amended.

11                   I could use a very good example of this year  
12          in which a company that had signed a conflict  
13          avoidance agreement with the Whaling Captains  
14          Association of Nuiqsut under the umbrella of AEWC  
15          that violated that conflict avoidance agreement,  
16          which brought the Whaling Captains Association of  
17          Nuiqsut under the umbrella of AEWC through our  
18          leading agency NOAA and filed a suit, which it's in  
19          the federal court at the moment.

20                   As soon as that happened, they were doing  
21          this shallow environmental assessment survey in  
22          which they reported of seeing a whale with a cap,  
23          which they're supposed to stop and desist and move.  
24          After they reported it, they continued doing their  
25          work.

1           What I see -- the problem I see with MMS is  
2           that they need to redo your homework -- you guys  
3           need to redo your homework. You need to come up  
4           with a better plan of implementation of how these  
5           stipulations should be set up where the lessee will  
6           be able to comply with. There's no -- there's  
7           nobody from the agencies from MMS to enforce -- to  
8           oversee how these leases are doing.

9           You guys need to step up to the plate instead  
10          of just leasing it out and forgetting it -- that's  
11          what's been going on -- the things that have been  
12          addressed on the impact statement, time and time  
13          again with you all these years.

14          I'm very fortunate that the Whaling Captains  
15          Association of Nuiqsut and the other whaling  
16          committees had signed a conflict avoidance  
17          agreement with the industry. I'm very glad that we  
18          have that in place, but enforcement and guidelines  
19          need to be beefed up. We can't live without the  
20          conflict avoidance agreement. That is a very  
21          vital -- helpful to us even though that we go  
22          through impacts. You know, we don't have funds to  
23          be able to go out past Cross Island and be able to  
24          bring our whale meat back. You know very well it's  
25          expensive.

1           I'm glad that Shell took the lead this year,  
2           that they committed to take the lead on it and  
3           that's the first time I've seen that based on  
4           moving in the right path that that stuff had been  
5           happening in the past.

6           We're in compliance. That's why MMS needs to  
7           step up to the plate. Like I said, they need to  
8           beef up the stipulations for the lessee to comply.  
9           You guys need to beef up the -- step up to the  
10          plate, make sure that they're in compliance there.

11          MR. COWLES: Rosemary?

12          MS. AHTUANGARUAK: As activities and  
13          developments occur, there will be changes that  
14          occur. Assessing these changes over a period of  
15          time needs to continue. Right now it's very  
16          difficult to fully assess what changes are  
17          occurring because things were done on a  
18          piece-by-piece basis. And it's hard to say when  
19          they're looking at adding 20 acres to development  
20          that's 200 acres, how much more developments that  
21          would occur.

22          But if it's done in real sensitive areas, you  
23          can have some real serious changes. But if you're  
24          not assessing the connotative changes that are  
25          occurring, we're not going to be able to prevent

1       some real devastating changes that may occur. So  
2       it's really important to look at the baseline  
3       information and build in factors that allow for  
4       identifying key indicators that are really looking  
5       at serious issues that need to be assessed and  
6       modified if need be.

7               Like, if we had a pipeline that is definitely  
8       causing some migration issues, then looking at what  
9       we can do to change that pipeline to allow  
10      migration to reoccur in those areas. Those kinds  
11      of things need to be looked at and built into the  
12      pipe for assessment as various developments are  
13      occurring.

14             Looking at ways to allow the local  
15      communications. When we've got enough individuals  
16      in our community saying, hey, there's a real issue  
17      occurring, say, maybe it's the Artic cisco  
18      migration, maybe it's near shore activity that's  
19      affecting herring migration, those kinds of things  
20      that force an assessment to occur and there's some  
21      real serious issues affecting our consumption of  
22      foods.

23             These are things that are not fully assessed  
24      but we see changes that are happening and if we're  
25      not building in factors that allow us to get



1 threshold levels or something of the sort, it's  
2 really going to affect continued communications and  
3 support for other activities.

4 We've had difficulties trying to communicate  
5 these kinds of things. But if we don't try to  
6 build in a way to allow some communications with  
7 effect to occur, we're not helping long-term  
8 issues.

9 MR. COWLES: I think we should take a little  
10 break at this time. If you'd like to come back in  
11 about ten minutes.

12 (Off the record.)

13 MR. COWLES: Well, ten minutes has gone by.  
14 Maybe it would be a good idea to see if any of the  
15 Elders wanted to make a statement. We've been  
16 going on for a while and I wouldn't want the folks  
17 who need to get home to their families feel that  
18 they have to wait until the end. So we certainly  
19 wouldn't want the Elders to feel like they're not  
20 getting a chance -- or any parents who need to get  
21 home and check up on the kids.

22 (Interpreter speaking.)

23 MR. NUKAPIGAK: (Speaks in Inupiat.)

24 I was kind of explaining to them the process  
25 and then why -- and I do believe that they agree

1 with me. If it is possible to extend the comment  
2 period of the Draft Environmental Impact Statement  
3 that's been published to give us an adequate time  
4 to review and analyze to give an adequate comment,  
5 because I need to sit down with my Elders and  
6 explain, this is what the filing of the Draft  
7 Environmental Impact Statement has, the adverse  
8 effect of the wildlife and how that's going to have  
9 an effect with -- that will have effect associated  
10 with impact to us that we have to rely or try to  
11 defend. There's absolutely no way that we can do  
12 it in just a very short time period.

13 MR. REITMEIER: That's a very valid point; the  
14 more time you review, the better you guys can  
15 understand, the better you get back to us.

16 MR. NUKAPIGAK: If MMS -- during the time that  
17 you guys were -- if I was in your shoes, during the  
18 early process, whomever is your contractor that  
19 prepares the draft, the Environmental Impact  
20 Statement, should have traveled to the Bush to hear  
21 inputs to integrate to the public's Environmental  
22 Impact Statement.

23 I mean, we have traditional knowledge that  
24 knows, you know, the area. That would have been  
25 very vital information that can be put in. Now

1           we're right here on this, we're in the third  
2           proposed program to Draft Environmental Impact  
3           Statement that's been published.

4           MR. COWLES: I know that's a lot to expect.

5           MR. NUKAPIGAK: Especially when you're  
6           living -- like I said, when you're living in the  
7           rural.

8           MR. COWLES: Yeah.

9           MR. NUKAPIGAK: The pipe system had changed.

10          MR. COWLES: That's a very, kind of, high-level  
11          decision that I will pass on. Just in case, don't  
12          hold back.

13          MR. NUKAPIGAK: Very vital points, no less. I  
14          think this committee can request to extend the  
15          comment period to give us an adequate comment.

16          MR. COWLES: Okay.

17          MR. NUKAPIGAK: The Elders agree with the  
18          request that we're asking to be -- remember that  
19          we're still in the early stage, at the moment,  
20          before any lease sale occurs. We're still in  
21          that -- the people in that preliminary beginnings  
22          of the process.

23          MR. REITMEIER: When did you get yours?

24          THE WITNESS: Yesterday. The mail service,  
25          like I said.

1 (Interpreter speaking.)

2 MR. NUKAPIGAK: It's frustrating when you're --  
3 when the mail system is so bad. Like even if you  
4 send it to me overnight express, it will take 10  
5 days, at least, to reach -- or first class mail  
6 takes 10 to 14 days to be able to finally receive  
7 mail because of the way these first-class -- how  
8 the postal service has changed the bypass system.

9 MR. COWLES: And we could try to get it up here  
10 sooner, too. That might help.

11 MR. NUKAPIGAK: That's right. It would have  
12 been nice during that early process, you know, to  
13 at least have your contract or that you had -- to  
14 meet the agent that's preparing this document.

15 MR. REITMEIER: The 90-day -- correct me if I'm  
16 wrong -- is actually a policy issue and has to be  
17 addressed farther up, but we can address the  
18 transport of the EIS.

19 MR. COWLES: If we get the document.

20 MR. REITMEIER: Right.

21 MR. COWLES: That's something we have to look  
22 at, all these steps.

23 MR. NUKAPIGAK: The adverse effect and the  
24 filing, how do you expect us to try to dialogue  
25 everything and try to put a mind and put an

1       adequate comment? Like I said, especially when you  
2       don't have the resources like the urbans have.

3               They have so many different organizations  
4       that can concentrate on a document to input their  
5       adequate comment. Here, you're living in the  
6       rural. It's what you have. You don't have the  
7       expertise that the urbans have.

8               MR. REITMEIER: You're absolutely correct.

9               MR. NUKAPIGAK: If you could pass that to your  
10      upper authority, we would really appreciate it.

11              MR. COWLES: How long do you think -- how much  
12      longer do you think?

13              MR. NUKAPIGAK: Maybe another -- another two  
14      weeks, if possible. That would give us ample time  
15      to digest -- you know, give us ample time to digest  
16      the materials.

17              MR. COWLES: Well, we'll see.

18              MR. NUKAPIGAK: Upper authority -- I know you  
19      don't have the jurisdiction to say, I can, but if  
20      you can pass that to the upper authority  
21      jurisdiction, that's who will make the decision.  
22      That would really help us out, you know.

23              MR. AHKIVIANA: I want to also make a comment  
24      that, as you know, as a rural resident, some of us  
25      do not have access to e-mail or computers. We

1       would have to go to the community hubs like the  
2       city or the tribal office or the coordinator's  
3       office.

4               In light of that, they're also busy. They  
5       are ongoing on a daily business and all that. We  
6       would have to call ahead first and just to ask how  
7       if we can have access to the EIS -- Draft EIS. And  
8       can I have time to come down and read that. That's  
9       also one stumbling that we have. As residents in  
10      the rural community, we do not have access to some  
11      of the proceedings and all the information you  
12      gathered.

13             Like in the urban city, we would have to  
14      stress for or asked the city government entity if  
15      they have the publication available. If it is  
16      there, well, can we have access to your computers  
17      and your e-mail and all that. We are keeping on a  
18      limited time.

19             MR. COWLES: And your computer access probably  
20      costs more.

21             MR. AHKIVIANA: They will turn around and say,  
22      it's going to cost money to use this, but you work  
23      for us; don't you?

24             MR. COWLES: Well, we did try to get these  
25      things to the libraries and we'll make sure there's

1 more copies, but I know the problems that you're  
2 talking about now. Maybe if there were more copies  
3 available, that would help.

4 MR. REITMEIER: We'll try to send out CDs, too.

5 MS. AHTUANGARUAK: But it's difficult to get.  
6 You're a large organization. You have access to  
7 bigger programs, newer programs.

8 MR. COWLES: Yeah.

9 MS. AHTUANGARUAK: Trying to get those  
10 documents to open up are very difficult even with  
11 some of our new computers. They are very large  
12 documents, you may extend the memory to capacity.  
13 It may cause more havoc to try to open it than you  
14 do using a hard document.

15 MR. COWLES: Well, you end up paying for the  
16 paper, too.

17 MS. AHTUANGARUAK: Exactly.

18 MR. COWLES: Well, we'll certainly carry these  
19 thoughts back. Any others?

20 I know that you mentioned that you wondered  
21 whether we were going to go -- had to go until  
22 10:00, we don't. If those of you who are still  
23 here have had enough -- do you have any other  
24 thoughts before we suggest maybe calling it quits?

25 MS. AHTUANGARUAK: What other communities have

1           you made it to so far?

2           MR. COWLES: Well, this week we are going to be  
3           here and to Kaktovik on Friday and the communities  
4           down around Bristol Bay and I believe there was a  
5           meeting in Anchorage. And then next week we are  
6           going to go out to the west coast along the Chukchi  
7           Sea and trying to hit as many as we can with the  
8           resources that we have, the people that are really  
9           closest to these upcoming things.

10           We really appreciate everybody taking the  
11           time to come out tonight and I hope it hasn't been  
12           too big of a burden on you in terms of the other  
13           things you're doing. And we will pass along your  
14           thoughts; we have them on the record. And feel  
15           free to contact me or Al Barros. Our numbers are  
16           there on that sheet if you have any other  
17           questions.

18           Thank you, Eli.

19           (Interpreter speaking.)

20           MR. COWLES: Well, thank you all very much.  
21           You have a good Thanksgiving.

22           (Proceedings adjourned at 9:35 p.m.)

23

24

25



## 1 REPORTER'S CERTIFICATE

2 I, Valerie Martinez, Notary Public in and for the  
3 State of Alaska do hereby certify:

4 That the proceedings were then taken before me at  
5 the time and place herein set forth; that the testimony  
6 and proceedings were reported stenographically by me and  
7 later transcribed under my direction by computer  
8 transcription; that the foregoing is a true record of  
9 the testimony and proceedings taken at that time; and  
10 that I am not a party to nor have I any interest in the  
11 outcome of the action herein contained.

12 IN WITNESS WHEREOF, I have hereunto subscribed my  
13 hand and affixed my seal this \_\_\_\_ day of \_\_\_\_\_,  
14 2006.

15  
16  
17 \_\_\_\_\_  
Valerie Martinez

Notary Public for Alaska

18  
19 My Commission Expires: June 22, 2010  
20  
21  
22  
23  
24  
25